
CHAPTER 19

SPECIAL REPORTING OF SERIOUS INJURY, ILLNESS, OR FATALITY

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CHAPTER 19

SPECIAL REPORTING OF SERIOUS INJURY, ILLNESS, OR FATALITY

THE DEPARTMENTAL REPORTING PROTOCOL

19.0-0 INTRODUCTION

Whenever an employee has a serious occupational injury, illness, or is fatally injured in connection with any employment activity, including incidents of workplace violence, or is a victim of a crime that occurs at a place of employment, Cal/OSHA, the State Compensation Insurance Fund (SCIF), and the Labor Code require special reporting procedures.

19.0-1 PURPOSE

This chapter explains the Cal/OSHA, SCIF, and Labor Code requirements, and describes the Department's protocol for reporting timely and accurate information to the affected employee's chain-of-command, other agencies, and/or jurisdictions.

Because of the variety of reporting requirements, personnel activities associated with gathering information, medical and survivor benefits issues, and investigative processes, this chapter is divided into six (6) parts as follows:

Part 1. Covers what-to-do by the **first-person** after they become aware that an injury, illness, or fatality has occurred. This section also focuses on chain-of-command notices and routine activities performed by supervisors and personnel offices.

Part 2. Covers the mandatory notification requirements and what-to-do by various management personnel, as a matter of routine immediately following a fatality.

Part 3. Covers what-to-do in the event a non-Caltrans employee is injured, becomes ill, or is killed (contractors employees; consultants; Adopt-a-Highway groups; special programs people; or visitors, etc.).

Part 4. Covers protocol for notification and communications between Traffic Management Centers and HQ and/or District Health and Safety offices.

Part 5. Explains other activities available to management. This section discusses time off to attend funeral services, family visitations, Employee Assistance Program (EAP), and peer defusing.

Part 6. This section explains the three (3) investigative processes available:

- Departmental Accident Review Team (DART)
- California Highway Patrol Multi-disciplinary Accident Investigation Team (MAIT)
- Cal/OSHA (focuses on violations of safety and health regulations)

19.0-2 POLICY STATEMENT

Managers, supervisors, and employees shall do everything reasonably possible to follow the Department's protocol for reporting timely and accurate information to the affected employee's chain-of-command, other agencies, and/or jurisdictions.

19.0-3 REPORTING REQUIREMENTS

The California Code of Regulations and the Labor Code require specific reporting procedures covering work-related injury, illness, and fatality in connection with any employment activity, including incidents of workplace violence, and when an employee is a victim of a crime that occurs at a place of employment. The following two (2) sub-sections describe each reporting requirement:

19.0-3.1 Cal/OSHA REPORTING REQUIREMENTS AND DEFINITIONS

Cal/OSHA requires that every employer shall report any serious injury, illness, or fatality, by telephone, **within 8 hours** to a local or regional office:

Cal/OSHA defines serious injury or illness as:

“ . . . any injury or illness occurring in a place of employment or in connection with any employment which requires inpatient hospitalization for a period in excess of 24 hours for other than medical observation, or in which an employee suffers a loss of any member of the body or suffers a serious degree of permanent disfigurement, but does not include any injury, illness, or death caused by the commission of a Penal Code violation, except the violation of Section 385 of the Penal Code, or an accident on a public street or highway.” [Title 8 CCR Section 330(h)]

Cal/OSHA also requires reporting the following:

“. . . any serious injury, or illness, or death of an employee occurring in a place of employment or in connection with any employment.” [Title 8 CCR Section 342(a)]

NOTE: Inpatient hospitalization is only part of the qualifying definition. The severity of the injury or illness is also important in deciding whether or not it is necessary to notify Cal/OSHA.

As a matter of policy, the local or regional office of Cal/OSHA shall be notified as soon as possible but, **no longer than 8 hours** after a qualifying serious injury, illness, or death occurs.

The District or Headquarters Health and Safety Officer or staff shall make the required Cal/OSHA notification.

19.0-3.2 NOTICE TO EMPLOYEE CRIME VICTIMS

- **Eligibility for workers' compensation for employee(s) who is(are) victim(s) of a crime that occurred at place of employment**

Section 3553 of the Labor Code requires management to, “. . . give any employee who is a victim of a crime that occurred at the employee's place of employment written notice that (he or she) is eligible for workers' compensation for injuries, including psychiatric injuries, that may have resulted from the place of employment crime.”

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The notice must be given either personally or by first-class mail, within one working day of the place of employment crime, or within one working day of the date the employer reasonably should have known of the crime.

Supervisors, with the assistance of the District Health and Safety Offices, and the Workers' Compensation Case Managers shall ensure that affected employee(s) is(are) notified about this policy.

As a general rule, notification about eligibility for workers' compensation for injuries, including psychiatric injuries, should be given to: 1) injured employee(s), 2) an employee(s) directly involved, but uninjured, 3) and/or employee(s) at the worksite.

NOTE:

See Chapter 6 - WORKPLACE VIOLENCE for details about Departmental policies, procedures, and strategies for maintaining a zero tolerance for violence in the workplace.

See Chapter 9 - FIRST AID AND EMERGENCY MEDICAL TREATMENT, Section 9.07 NOTICE TO EMPLOYEE CRIME VICTIMS, for specific language.

PART 1. INITIAL NOTIFICATION AND REPORTING**19.1-1.1 SPECIFIC FIRST-PERSON REPORTING**

Note: Notification of spouse, family member, or designated individual is covered in Part 2.

- Whenever a serious occupational injury, illness, or fatality occurs, **the first person** (any employee) that becomes aware of an accident shall notify as soon as possible (by telephone or personal visit, etc.) his/her supervisor with as much of the preliminary information, as described below. If the supervisor is unavailable, notify another appropriate person; (e.g., leadworker, another supervisor, or superintendent).
- As soon as notification of a death or serious injury or illness is received, the following persons shall be notified as soon as possible: (Note: After normal working hours, consult Caltrans Emergency Fan-Out Alert Chart, or appropriate District/Division equivalent.)
 - Deputy District Director or Division Chief for the functional area
 - Deputy District Director of Administration (DDDA)
 - District Director
 - Director's Office
 - Deputy Director of External Affairs
 - Health and Safety Office (District & Headquarters[HQ])
 - Chief, Division of Human Resources, Office of Transactions Services (for fatalities)
- The preliminary information should include, if available, but not be limited to:
 - type of accident (motor vehicle/pedestrian/other event)
 - type of work (maintenance work zone/construction work zone/other area)
 - severity of injury(ies) (fatal/personal injury/illness/chemical exposure)
 - location (city/county/highway/post mile/address)
 - date, time of day
 - where injured employee was taken for medical attention
 - name and classification of injured employee(s)
 - description of other party (company name/individual name/address), and/or
 - type of vehicle (truck/truck-trailer/auto/equipment/license number)

19.1-2 Chain-of-Command Requirements

The following represents the Department's protocol for reporting serious occupational injury, illness, or fatality in the chain-of-command to departmental personnel, other agencies or jurisdictions. The DDDA will typically be deemed the lead and will be among the first persons to be notified of the incident. Individuals in the identified positions will need to comply with the reporting requirements listed after each position/office name.

1. First-Line Supervisor will notify:

- His/her supervisor of the injury, illness, or death and the name of the person designated to be notified, as shown on the employee's emergency contact notice.
- His/her Office Chief, Area Superintendent, Region Manager, Regional Administrative Officer (RAO), Branch Chief, Shop Superintendent (within his/her chain-of-command).
- Other line managers deemed appropriate.

2. Second-Line Supervisor or RAO will notify the following individuals:

- DDDA
- Deputy District Director/Division Chief for the functional area
- District and/or HQ Health and Safety Office
- District Chief Public Affairs/Information Office
- DHR Transactions Chief

3. District Director/Deputy Director will notify:

- Director's Office
- External Affairs Deputy
- HQ Emergency Operations Communication Center

4. District Health and Safety Office will:

- Notify HQ Office of Health and Safety (H&S).
- Notify State Compensation Insurance Fund (SCIF).
- Notify the California Occupational Safety and Health Administration (Cal-OSHA).
- Confirm that the Division of Human Resources (DHR) H&S/Workers Compensation (WC) Unit has contacted SCIF and initiate SCIF claim process, funeral benefits, and funeral provider payment.

5. Headquarters Health and Safety Office will make the following notifications, and shall comply with Section 19.1-3, Redundant Reporting:

- DGS and ORIM Management, to arrange for life insurance payment
- Cal-OSHA
- Labor Relations Division Chief
- California Transportation Foundation (CTF)
- Make initial determination of the need for a DART, and/or coordinate DART with District/HQ functional managers.
- In the event of an employees death in the line of duty, contact the coordinator for the American Association of State Highway Transportation Officials/Western Association of Highway and Transportation Officials (AASHTO/WASHTO Coordinator) with 1) Name of Employee, 2) Date of Fatality (and date of incident if different), and 3) official length of state service. This will allow the AASHTO/WASHTO Coordinator to forward the information for recognition and honors to be conferred at the national level.

6. District Public Affairs/Information Office will:

- Coordinate all media and related information and act in cooperation with the HQ External Affairs Office.
- Prepare draft press release, including background information on the victim or affected employee and type accident or qualifying event, and send to Deputy Director for External Affairs. Include: 1) name of employee; 2) date of injury, illness, or fatality; and 3) start date with the Department (DHR/Transactions can provide this information).

7. HQ External Affairs Deputy Director will:

- Notify the Business, Transportation and Housing Agency (BTH)/Governor's Office, if appropriate, (required for fatality) and determine/authorize appropriate time to distribute press release to media/departmental employees, etc.
- Coordinate activities, as appropriate, with the District Public Affairs/Information Officer.
- Provide copy of final press release to the concerned district.

8. Headquarters Labor Relations Chief will notify:

- The appropriate employee organization when a serious occupational injury or illness occurs, or when an employee is fatally injured in connection with any employment activity.

9. **DHR/Transactions** assist supervisors, managers, and others to ensure that family members are provided with the most current information regarding benefits and will do the following:
- Review the employee's official personnel file for notification of family members, designated physician, or other appropriate medical services, and list of contacts for beneficiaries for survivor and other benefits.
 - Provide the district with the employee's start date and prepare the appropriate benefits condolence letter.
 - Prepare notification to Governor's Office and secretary to DHR Chief, who will coordinate with Deputy Director of External Affairs.
 - Contact various entities such as the Department of Personnel Administration (DPA) Benefits Division, Social Security Office, and the Public Employees Retirement System (PERS).
 - Review employee's work records to compile data for final separation.
 - With assistance from the affected employee's chain-of-command, process the State death benefits and other survivor benefits.

10. **DHR/WC Unit**

- Follow existing guidelines established by SCIF, Social Security, and PERS for the purpose of determining appropriate medical and/or survivor benefits.
- Contact SCIF as soon as possible following a fatality. Initiate SCIF claim process, funeral benefits, and funeral provider payment.
- SCIF pays the cost of funeral expenses up to \$5,000. WC will also do the following:
 - Send SCIF adjuster **draft** copy of Form SCIF 3067 (SCIF adjuster will open claim file).
 - Provide funeral arrangement information by telephone or facsimile (fax), including: name and phone number of family or friend making the arrangements and name and phone number of funeral provider. The SCIF adjuster will coordinate with the funeral director.
 - SCIF adjuster will contact family/designee to discuss details and make arrangement for direct payment to funeral provider.
 - Send SCIF completed Form SCIF 3067.

19.1-3 Redundant Reporting

The Director of Transportation has charged the H&S Chief with the responsibility to conduct redundant reporting whenever a serious injury, illness, or fatality occurs. The purpose of redundant reporting is to ensure that the affected employee's chain-of-command has notified other departments, agencies, and jurisdictions about each qualifying event. The redundant reporting is essentially a personal inquiry by the H&S Chief to affirm all reporting and notification requirements have been completed.

PART 2 ACTIONS FOR FATALITIES

The following are mandatory notification requirements/actions whenever there is a fatality. The items are not listed in order of strict priority.

- **Notify Director's Office** - Responsibility of District Director/Division Chief (or designee).
- **Initial Family Notification** - Responsibility of affected employee's chain-of-command, and should be done as soon as possible.
 - Release of the departmental employee's name, notification to the spouse, family member, or designated individual, **shall not** be made without the **knowledge and approval** of the District Director's or HQ Division Chief's Office.
 - The name of the fatally injured employee **shall not** be released to the news media, or outside the Department, until the spouse, family member, or designated individual has been notified.

NOTE: All media calls should be referred to the District or Headquarters Public Affairs/Information Office and the deceased employee's name should be released only after confirmation by the Coroner's Office or other appropriate authority. Avoid premature release of an employee's name based on informal coworker or unauthorized eyewitness identification.

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- The notification of family members should be handled by personal visit. (Please refer to “What To Do When An Employee Fatality Occurs” available on Health and Safety website.) The Director’s staff, District Director or designee, Division Chief, Maintenance Manager, or similar positions of authority have been identified as the appropriate level of management to notify the affected employee's family member or designated individual. Whenever it is impractical for one of the above individuals to make the initial notification, the Director/District Director should designate a representative to act in his/her behalf.

Family Visitation - The purpose of the visit is to establish a communications link with the employee's family so departmental managers may provide assistance, information, and support, as deemed appropriate.

- District Directors and Division Chiefs are encouraged to visit the family member(s) or designated individual of a fatally injured employee and express the sympathy of the Department. Whenever it is impractical for them to do so, they shall designate an individual to act in their behalf.
- The employee's supervisor or other appropriate persons are encouraged to accompany the District Director or Division Chief on the visit. Whenever it is impractical for them to do so they should designate an individual to act in their behalf.
- Managers and supervisors should assess and/or consider alternative individuals if, for any reason, the affected employee or family does not have a harmonious relationship with any of the selected management representatives.
- The individuals who participate in the visit (if requested, a Personnel Liaison and/or RAO may participate) should contact DHR to obtain the most current information about applicable medical benefits, WC, and/or survivor benefits before the visit.
- The family should be told that if there are concerns about handling the remains (organ donor, religious beliefs, etc.) they should contact the coroner or Police Agency involved.

NOTE: Some judgment should be used when selecting a member of management to conduct a family visit. Selected individuals who may have a history of conflict with the deceased employee should not, or need not, be asked to participate in a family visitation.

Notice to Lower Flags to half-staff (from the day of the employee's death through the day of the funeral) is the responsibility of the Director's Office and Facilities Management (Facilities) (BTH Secretary approval is required). The building managers shall ensure that flags are lowered and raised when directed. Facilities should notify building managers by telephone or fax to ensure remote areas receive timely notification to lower flags to half-staff and return to full-staff.

Funeral Benefit Preparation - Responsibility of DHR/Transactions and the HQ Office of Health and Safety /Workers Compensation Case Management Unit.

SCIF pays actual cost of funeral expenses up to \$5,000. The DHR representative will do the following:

- Send SCIF adjuster **draft** copy of Form SCIF 3067 (SCIF adjuster will open claim file).
- Provide funeral arrangement information by telephone or facsimile (FAX), including: name and phone number of family or friend making the arrangements and name and phone number of funeral provider. The SCIF adjuster will coordinate with the funeral director.
- SCIF adjuster will contact family/designee to discuss details and make arrangement for direct payment to funeral provider.
- Send SCIF completed Form SCIF 3067.

Letter of Condolence - Responsibility of Director's Office (Prepared by DHR).

Liaison with Family Member(s) - The DDDA shall assign an individual to ensure that communications are kept open with the family, including maintaining periodic contact until State death benefits and other survivor benefits are determined, or until further contact is no longer necessary.

Employee Requests for Time Off to Attend Funeral Services - Responsibility of affected employee's supervisor and chain-of-command (See Part 5, 19.5-1.)

Consider EAP Assistance and Referral Services for Employees - Responsibility of affected employee's supervisor or other managers in the chain-of-command, with assistance from the District/HQ H&S Office. (See Part 5, 19.5.2.)

PART 3 REPORTING NON-DEPARTMENTAL EMPLOYEE

This section applies ONLY to NON-departmental employees working on a Department of Transportation (Caltrans) project.

A non-Caltrans employee is defined as: a contractor's employee; a consultant retained by the Department; Adopt-a-Highway groups; Special Programs People (litter pickup/probationers); or a visitor to a Caltrans work area.

If a non-Caltrans employee is injured, becomes ill, or is killed, the Resident Engineer, Area Superintendent, or other appropriate Caltrans manager/supervisor shall obtain the name of the company, contractor, consultant, and other pertinent information, and shall follow through with notification requirements as follows:

- Managers and supervisors should rely on emergency responder and/or emergency medical provider notification procedures, such as those routinely handled by police and hospital authorities for family members and other notifications.
- Managers and supervisors do have an obligation to cooperate and share information with contractor and/or consultant personnel, and may establish a liaison between the Department's functional area manager and the affected contractor and/or consultant.
- Notify Director's Office and Deputy Director for External Affairs

PART 4 COMMUNICATIONS SECTION - HEADQUARTERS (HQ) OR DISTRICT

The Traffic Management Center (TMC) operator (HQ or District) shall notify the Offices (HQ or District) of Health and Safety, by telephone or personal visit, of all information regarding any serious occupational injury, illness, or fatal accident as soon as possible. Copies of all messages shall be accumulated and delivered to the Offices (HQ or District) of Health and Safety as soon as possible after receipt.

- The TMC operator will send, as appropriate, all information and/or FAX messages regarding any serious occupational injury, illness, or fatal accident as soon as possible to:
 - The District Director's Office;
 - The DDDA; and
 - The Deputy District Director/Division Chief for the functional area.
- Communications Operators shall specify, in the cases of fatalities, whether they are:
 - Repeating a formal identification established by a Coroner's Office or other recognized authority; or
 - Repeating informal information from coworker or eyewitness statements.

PART 5: OTHER ROUTINE PROCEDURES AND ACTIVITIES**19.5-1 TIME OFF TO ATTEND FUNERALS**

- District Directors, Deputy Directors, or Division Chiefs may:
 - Accommodate employee requests for time off for the purpose of attending funeral services, provided the integrity of the workplace is maintained.
 - Authorize other activities, upon Director's Office concurrence.

It is Department policy to provide the family member(s), or designated individual all reasonable assistance. DHR Offices and Transactions shall establish and maintain procedures that include a checklist of contacts to ensure beneficiaries are notified of funds and/or benefits available.

DHR will keep in close contact with the Director's Office, DDDA, District Director, and Division Chief to inform them of all plans and any problems that may arise.

19.5-2 EMPLOYEE ASSISTANCE PROGRAM (EAP)

- **EAP** is a benefit to help employees resolve problems that may affect work performance or for those who may be showing signs of struggling with a personal problem. EAP provides counseling and referral for employees and their families.
- A **Critical Incident Stress Debriefing (CISD)** is available through the EAP provider for those employees affected by a traumatic incident. Employees, supervisors and any managers affected by an incident should participate in a CISD session, if needed. Managers/supervisors, along with the District EAP Coordinator, are responsible for initiating and arranging this service by contacting the EAP provider and the HQ Health and Safety Office.
- **Peer Defusing** is a brief, focused, informal group discussion led by a peer that meets within eight hours of a work incident. These can provide an opportunity for peer group ventilation of reactions to a traumatic event, an opportunity to obtain stress related information, and may eliminate the need for enhanced CISD services. To obtain the names of peer defusing facilitator in your area, contact one of the Critical Incident Stress Management Program Team members in the HQ Division of Maintenance.

Supervisors should have a copy of the EAP Supervisor's Handbook and ensure that employees are given a copy of the EAP pamphlet. To assist coworkers, EAP information should be posted in a common area used by employees, such as employee bulletin boards.

Note: There is a handbook available on the Safety and Health website, "What To Do When An Employee Fatality Occurs" It covers "What Do I Do First?" (with checklist), "Preparing For Family Notification, Things to Consider", and "Delivering the Message-Do's & Don'ts."

PART 6. INVESTIGATIVE PROCESSES

There are three (3) types of investigative efforts that may be initiated to examine either an injury, illness, or fatal accident involving a Caltrans employee. The following briefly defines each process:

1.) **Departmental Accident Review Team (DART):**

This is a Caltrans internal process used to conduct a joint/cooperative review of the accident, with the affected program manager's staff, and a critique of specific program-related policies, procedures, and work practices being followed by the employee(s) at the time of the accident.

The DAR[Team] also uses the opportunity, during the accident and policy review, to see if the supervisor is in compliance with Departmental policy as required in the Department's Injury and Illness Prevention Program.

2.) **Multi-disciplinary Accident Investigation Team (MAIT):**

This is a California Highway Patrol (CHP) in-depth accident scene investigative effort initiated whenever a major injury or fatal motor vehicle highway accident occurs involving a Caltrans employee or operation.

3.) **Cal-OSHA:**

This is a Department of Industrial Relations (Cal-OSHA) investigative effort, used occasionally, whenever a serious occupational injury, illness, or fatality occurs involving a Caltrans employee or operation.

19.6-1 The DEPARTMENTAL ACCIDENT REVIEW TEAM (DART)

Following notification that an accident occurred, the Chief, Office of Safety and Health, in discussions with the District Director, Program Manager, or Service Center Director of the affected employee, will determine if a DART should be established.

The initial consideration for establishing a DART is based upon whether or not the accident qualifies for notifying Cal-OSHA.

The criteria for the Cal-OSHA notification is described below in the section titled: Qualifying Definitions for a DART - The Triggering Event, and is based upon the need for hospitalization and severity of the injury to the affected employee.

Purpose and Scope of a DART

A DART is an operational program review and an administrative review process, not an accident investigation, per se, because its primary focus is to review Departmental policies, procedures, and work practices.

Its primary focus is to make an operational review of specific program-related policies, procedures, and work practices being used, at the time of an accident, to see if they were understood, correctly interpreted, and properly followed. This type of review is also done to see if the affected employees had the necessary equipment, were properly trained and qualified, and if they performed their task in accordance with specific program-related work rules and safety policies.

Its secondary focus is administrative, because it is essentially a retrospective look at how well the Department's Injury and Illness Prevention Program (based on Section 3203 of the General Industry Safety Orders, and Section 1509 of the Construction Safety Orders) has been implemented and maintained by the affected employee's supervisor, and his/her chain-of-command (Program Manager).

Combining both operational and administrative review techniques, the DART members want to see documentation which demonstrates that the supervisor is in compliance with specific program-related policies, and the Department's Injury and Illness Prevention Program by confirming that he/she:

1. Has a copy of the Caltrans Safety Manual?
2. Understands what the Department's Injury and Illness Prevention Program is, and his/her role in fulfilling the requirements?
3. Has regularly scheduled meetings with their employees to discuss safety and health issues?
 - Every 10-days for field workers.
 - At least quarterly for office workers.
4. Conducts and documents periodic facility safety inspections or operational reviews of all worksites?
5. Investigates and documents all reported occupational injuries and illnesses?
6. Provides training covering hazards basic to all work and hazards unique to each job assignment?
7. Routinely talks to employees and enforces all safety and health laws, rules, policies, and regulations?
8. Maintains appropriate safety and health-related records?

These items cover the same information and documentation that a Cal-OSHA Compliance Officer would request to see during an inspection or accident investigation.

Qualifying Definitions for a DART , The Triggering Event.

The Chief, Office of Safety and Health, in discussions with the District Director, Program Manager, or Service Center Director of the affected employee will decide if a DART is needed based upon the circumstances surrounding each event.

As a matter of policy, a DART may be established whenever there is a fatal accident, or when the severity of a serious occupational injury, illness falls within one or both of the following Cal-OSHA definitions:

1. The first definition is based upon inpatient hospitalization and severity of the injury. The definition states in part:

Section 330(h) “ . . . any injury or illness occurring in a place of employment or in connection with any employment which requires inpatient hospitalization for a period in excess of 24 hours for other than medical observation, or in which an employee suffers a loss of any member of the body or suffers any serious degree of permanent disfigurement, . . . ”

Based on this definition, if an employee becomes injured or ill and is hospitalized in excess of 24 hours for other than medical observation, or in which an employee suffers a loss of any member of the body or suffers any serious degree of permanent disfigurement, management may establish a DART.

2. The second definition is based upon a “notification” requirement. Cal-OSHA requires that every employer shall report, by telephone within 8 hours, to the local or region office of the Department of Industrial Relations any serious injury, or illness, or death. The definition states in part:

Section 342(a) “. . . any serious injury, or illness, or death of an employee occurring in a place of employment or in connection with any employment.”

Based on this definition, whenever a serious injury, illness qualifies for notifying Cal-OSHA, or whenever a fatality occurs and Cal-OSHA is notified, management may establish a DART.

See Section 19.0-3.1 Cal-OSHA REPORTING REQUIREMENT AND DEFINITIONS, above for full text of definitions.

DART [Team] Selection and Participation

The DAR[Team] is made up of a group of employees, consisting of a member of the Headquarters Office of Safety and Health, a representative from the District, or Program Manager, or Service Center Director’s staff of the affected employee, and others with select skills.

The Headquarters Safety and Health staff member acts as the leadperson in soliciting individuals to participate as DART members, and also acts as the primary author of a written confidential DART report.

Every effort is made to put together a team of employees who are knowledgeable in applicable policies, procedures, and work practices being followed at the time of the accident, and knowledgeable of other Departmental policies, procedures, and work practices which may appear in various manuals and other/or Departmental sources.

The DART Report and Approvals

In order to ensure uniformity and quality, DART reports include the following:

- Factual information covering the accident and accident scene;
- Damage to vehicles/property and mechanical inspections;
- Personnel history information and training;
- Toxicology (alcohol/drug impairment);
- Judicial disposition;
- Witness statements;
- Analysis of safety policies, procedures, and work practices;
- Conclusions;
- Findings and probable cause;
- Recommendations; and/or
- Peripheral issues as may be warranted.

The DART members jointly participate in doing research, gathering and analyzing facts, and formulating recommendations.

The DART members make recommendations which may affect policy, procedural actions, changes in work practices, legislative efforts, training, and other appropriate actions including specific recommendations regarding equipment and/or tool purchases.

The Headquarters Safety and Health staff member acting as the leadperson, and author, writes a report of the groups findings, conclusions and recommendations.

The report is approved by the Chief, Office of Safety and Health. Copies of the DART report are reviewed by members of the Caltrans Health Safety and Advisory Committee (CHSAC). See Chapter 1- Management Structure, Section 1.13 DEPARTMENTAL SAFETY AND HEALTH ADVISORY COMMITTEE, for a description of the committee's responsibilities.

(A separate review of the DART report is made by the Legal Program to ensure that the report does not contain any legal conflicts.)

A meeting is scheduled with the Caltrans Safety and Health Advisory Committee, their staff or designee, at which time the DART report is discussed and comments are solicited from each member or participant.

The Caltrans Safety and Health Advisory Committee members limit their comments to approving the recommendations. The Committee may suggest alternate or additional recommendations.

NOTE: It is expected that the DART report has accurately stated the facts surrounding the accidents, and the analysis, findings, and conclusions support the recommendations, thus making it unnecessary for the Caltrans Safety and Health Advisory Committee members to alter the report.

The Chief, Office of Safety and Health periodically monitors the implementation of the recommendations and provides status reports to the Caltrans Safety and Health Advisory Committee members, as may be required.

19.6-2 THE CALIFORNIA HIGHWAY PATROL'S MULTI-DISCIPLINARY ACCIDENT INVESTIGATION TEAM

Whenever a major injury or fatal motor vehicle accident occurs involving a Caltrans employee, the California Highway Patrol (CHP) routinely conducts an in-depth accident scene investigation, done by the Multi-disciplinary Accident Investigation Team (MAIT).

The area CHP officer arriving at the scene of an accident is responsible to make an initial determination of the need for MAIT assistance. The area CHP Commander makes the final decision and requests the MAIT to respond to the accident scene.

The MAIT consists of a CHP coordinator, a ranking CHP officer, a Traffic Officer, a Motor Carrier Specialist, and a Caltrans registered civil engineer.

The findings and conclusions of the MAIT are presented to the Department in a written report.

The DART members use the MAIT report as a source of factual information covering specific details of the accident and the accident scene. The MAIT report describes the physical environment of the accident scene.

The date, time of day, location, highway alignment, weather conditions, vehicle damage, and witness statements gleaned from the MAIT report can be useful to supplement the DART report.

19-6-3 THE Cal-OSHA PROCESS

When a serious occupational injury, illness, or fatality occurs involving a Caltrans operation at a fixed worksite, like a building, or in a maintenance/construction work zone, the Department of Industrial Relations, Division of Occupational Safety and Health (DOSH), Cal-OSHA, may conduct an accident scene investigation.

A written Cal-OSHA investigative report is not usually presented to the Department. The Cal-OSHA findings and conclusions are normally presented to the Department in the form of written citations based on alleged violations of Cal-OSHA safety and health standards.

The Cal-OSHA citations can be used by the DART as a source of factual information covering specific details of the accident and accident scene. The information can also be used to determine if applicable safety and health policies, procedures, and work practices were followed correctly, or could have been a contributing factor in causing an injury, illness, or fatality. Information gleaned from the Cal-OSHA citations can be useful to supplement the DART report.

NOTE:

Because construction work zones are closed to regular vehicular traffic, they are not subject to the same vehicle accident investigation process that the CHP routinely conducts. Therefore, accidents that occur in construction work zones may be investigated by Cal-OSHA and not the CHP. Each agency has different jurisdictions but may conduct independent investigations and prepare separate investigative reports.